

ENTERED ON
JAN 19 2010
DOCKET

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

| | | |
|--------------------|---|-------------------------|
| IN RE: |) | CHAPTER 7 |
| |) | |
| GLENN ROYCE FAVRE, |) | CASE NO. 08-85264 - MHM |
| |) | |
| Debtor. |) | |
| |) | |
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| GLENN ROYCE FAVRE, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | ADVERSARY PROCEEDING |
| |) | NO. 09-9070 |
| RAY MARTIN, |) | |
| |) | |
| Defendants. |) | |

ORDER CANCELLING HEARING ON MOTION TO DISMISS

On December 16, 2009, Defendant filed a motion to dismiss this adversary proceeding. On January 7, 2010, Defendant filed a notice of hearing on the motion to dismiss. Pursuant to the local rules, hearing on motions filed in adversary proceedings are held only if specifically ordered by the court. BLR 7007-1(f). *See Moore v. State of Florida*, 703 F.2d 516 (11th Cir. 1983); *Donaldson v. Clark*, 786 F.2d 1570, 1575 (11th Cir. 1986); *Griffith v. Wainwright*, 772 F.2d 822, 825 (11th Cir. 1985). If either party desires a hearing or oral argument, that party must file a written request stating the reasons such hearing or oral argument is desired. Additionally, the scheduling of hearings in adversary proceedings is excepted from the open calendaring procedure for the undersigned. *See*

"Open Calendar Procedure" on the webpage of the undersigned available at www.ganb.uscourts.gov, click "Chambers," then click "Judge Margaret H. Murphy."

Accordingly, it is hereby

ORDERED that the hearing scheduled for February 9, 2010 is *canceled*.

The Clerk, U.S. Bankruptcy Court, is directed to serve a copy of this order upon Debtor, Defendant's attorney, the Chapter 7 Trustee, and the U.S. Trustee.

IT IS SO ORDERED, this the 18th day of January, 2010.



MARGARET H. MURPHY
UNITED STATES BANKRUPTCY JUDGE